

PTO/SB/21 (02-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/777,867	
	Filing Date	02/12/2004	
	First Named Inventor	David P. Sperling	
	Art Unit	Unknown	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	6	Attorney Docket Number	100650.53067US

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please Identify below):
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Dennis R. Gallagher	Reg. No. 42,563
Signature		
Date	07/13/2004	

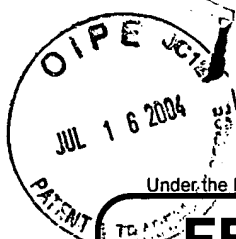
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Maria N. Sausedo		
Signature		Date	07/13/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

## Complete if Known

Application Number	10/777,867
Filing Date	02/12/2004
First Named Inventor	David P. Sperling
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	100650.53067US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☒ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

Crowell & Moring LLP

05-1323

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

(Complete (if applicable))

Name (Print/Type)	Dennis R. Gallagher	Registration No. (Attorney/Agent)	42,563	Telephone	949-263-8400
Signature				Date	07/13/2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/777,867

Confirmation No. Unknown

Applicants : David P. Sperling, et al.

Filed : 02/12/2004

TC/A.U. : Unknown

Examiner : Unknown

Docket No. : 100650.53067US

Customer No. : 23911

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.97 and 1.98**

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem relevant to patentability of the claims of the above-identified application.

The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date or (2) before the mailing date of the first Office Action on the merits (whichever is later), and therefore no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be

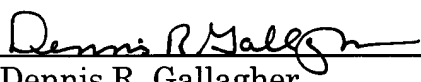
appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The Office is authorized to charge any fees or any deficiency in fees, or credit any overpayment of fees, associated with this paper to Deposit Account No. 05-1323 (Docket No. 100650.53067US).

Respectfully submitted,

CROWELL & MORING LLP

Dated: July 13, 2004

By   
Dennis R. Gallagher  
Reg. No. 42,563  
Tel.: (949) 263-8400 (Pacific Coast)

Intellectual Property Group  
P.O. Box 14300  
Washington, D.C. 20044-4300

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**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

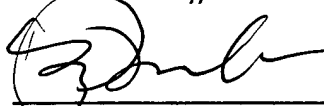
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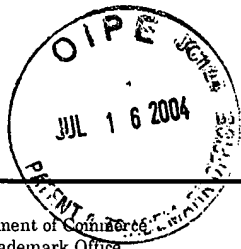
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Maria N. Sausedo

07/13/2004

Date



FORM PTO-1449 U.S. Department of Commerce Patent & Trademark Office	Attorney Docket No. 100650.53067US	Serial No. 10/777,867
	Applicant: David P. Sperling, et al.	
	Filing Date 02/12/2004	Group Unknown

**INFORMATION DISCLOSURE STATEMENT**  
(Use several sheets if necessary)

U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date (if appropriate)
	AA	5,666,553	09/09/97	Crozier			
	AB	5,684,990	11/04/97	Boothby			
	AC	5,701,423	12/23/97	Crozier			
	AD	5,943,676	08/24/99	Boothby			
	AE	6,044,381	03/28/2000	Boothby et al.			
	AF	6,141,644	10/31/2000	Kuhn et al.			
	AG	6,141,664	10/31/2000	Boothby			
	AH	6,212,529	04/03/2001	Boothby et al.			
	AI	6,223,187	04/24/2001	Boothby et al.			
	AJ	6,304,881	10/16/2001	Halim et al.			
	AK	6,330,568	12/11/2001	Boothby et al.			
	AL	6,405,218	06/11/2002	Boothby			
	AM	6,532,480	03/11/2003	Boothby			

FOREIGN PATENT DOCUMENTS								
Examiner Initial		Document Number	Date	Name	Class	Sub- Class	TRANSLATION	
							Yes	No
	AN							
	AO							
	AP							
	AQ							
	AR							
	AS							
	AT							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
	AU						
	AV						
	AW						

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.	